

Atty Dkt. No.: CLON-015
USSN: 09/440,829

REMARKS

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 47 -54, the only claims pending and currently under examination in this application.

The Examiner is thanked for the acknowledgement that Claims 47-54 are free of the prior art.

Claims 1-3, 8, 10-23 and 39-46 have been canceled by the above amendments. Cancellation of these claims is solely to expedite prosecution of the present application, and is not to be viewed as an agreement with the Examiner with respect to the patentability of these claims. The Applicants reserve the right to prosecute these claims in a continuation application. Claims 47 has been amended to provide specific antecedent basis for different probe compositions and to correct a typographical error. As the above amendment introduces no new matter to the application, their entry by the Examiner is respectfully requested.

An objection has been raised with respect to Claims 14 and 47. In view of the cancellation of Claim 14 and the above amendment to Claim 47, this objection may be withdrawn.

Claims 39-54 have been rejected under 35 U.S.C. § 112, second paragraph for several issues. In view of the above cancellation of Claims 39-46 and the amendment to Claims 47, this rejection may be withdrawn.

Claims 1-3, 8, 10-23 and 39-46 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Church et al. In view of the cancellation of these claims, this rejection may be withdrawn.

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CONCLUSION

In view of the above remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issuance.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815.

Respectfully submitted,

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